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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,246	11/13/2001	Christopher Joseph DeSalvo	04676.P014	4909

7590

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EXAMINER

BARNIE, REXFORD N

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 04/02/2004

LS

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,246

Applicant(s)

DESALVO, CHRISTOPHER
JOSEPH

Examiner

REXFORD N BARNIE

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 02/17/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 28 and 30-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 28 AND 30-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

R N Barnie
REXFORD BARNIE
PRIMARY EXAMINER
03/28/04

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menelli in view of Windsor (US Pat# 5,734,706).

Regarding claim 28, Menelli teaches a wireless device having data processing capabilities for receiving caller ID information, determining whether an entry exist or not, if it exist being able to append time, duration and date of the call to the existing information and if the entry does not exist, creating an entry with additional information including time, date and duration of the call in (see col. 5 lines 50-66). According to (see col. 2 lines 16-24), fields including an incoming, outgoing and so forth can be associated with calls. Even though, Menelli teaches time stamping incoming call information, he fails to teach organizing call ID information by columns including a calender entry and so forth.

Windsor et al. teaches a caller ID device wherein incoming and outgoing call logs can be organized in entries comprising time, calender, duration and so forth (see fig. 7c). Determining based on incoming line information, if additional information exist (see col. 9 lines 21-65). Furthermore, Windsor mentions the need to include a calender

function in (see column 11 lines 23-29) and being able to put call information in a calender format (see column 14 lines 3-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the time invention was made to incorporate the teaching of Windsor into that of Menelli thus making it possible to organize information in different entries including a calender entry (time and data) for call logs in order to reference call detail record when needed.

Regarding claim 30, see the explanation as set forth regarding claim 28.

2. Claims 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menelli in view of Windsor (US Pat# 5,734,706) and further in view of Mohageg (US Pat# 6,473,496).

Regarding claims 31-32, The combination fails to teach the claimed subject matter In detail but Mohageg teaches a method for handling telephone command wherein a user can edit an address book within a telephone device in (see col. 3 lines 64-65). Furthermore, a user can be queried to update entry information in (see col. 5 lines 55-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Mohageg into that of the combination thus making it possible to update a phone book with desired information for later retrieval.

Regarding claims 32-35, Furthermore, according to (cols. 9-11 of Windsor), one can update a record entry with desired information either automatically or manually. Furthermore, it's known to designate caller ID info with identifiers such as unavailable or blank.

Regarding claims 36-37, the combination teaches an

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menelli in view of Windsor (US Pat# 5,734,706) and further in view of Oikawa (US Pat# 6,397,060) or Utsumi (US Pat# 6,449,360) or Hatamura (US Pat# 5,894,507).

Regarding claim 33, The combination fails to teach the claimed subject matter but Oikawa teaches a radio communication device in (see disclosure) wherein a dial communication number can be replaced and updated with a new number.

Utsumi teaches a communication device in (see disclosure) wherein a number can be replaced with a new number in the device.

Hatamura teaches a communication device wherein a number can be replaced with another number in (see claim 42)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of either of the applied secondary references thus making it possible to update information stored in a telephone with relevant and up-to-date information


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is (703)306-2744. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER
REXFORD BARNIE
03/28/04


REXFORD BARNIE
PRIMARY EXAMINER